

**CIVIL CASE NO. 1:11cv266**

**Defendant.**

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## ORDER OF REMAND

Sentence four of 42 U.S.C. § 405(g) provides, in pertinent part, that “[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” The Defendant here has moved for reversal of his decision and for remand of this case for further administrative proceedings.

The Court finds that remand is appropriate. See Melkonyan v. Sullivan, 501 U.S. 89, 111 S.Ct. 2157, 115 L.Ed.2d 78 (1991). Upon remand to the Commissioner, the Appeals Council shall instruct the Administrative Law Judge to: (1) update the Plaintiff's medical records; (2) consider and assign weight to all relevant aspects of the record medical opinions, including those of the consultative examiners and state agency medical consultants, pursuant to Social Security Rulings 96-5p and 96-6p; (3) re-assess Plaintiff's residual functional capacity (RFC); (4) conduct a new administrative hearing with vocational expert testimony as needed to clarify the impact of a revised RFC on Plaintiff's ability to perform work at the relevant exertional level; and (5) issue a new decision based on the total record, which explains the weight given to all relevant aspects of the record medical opinions.

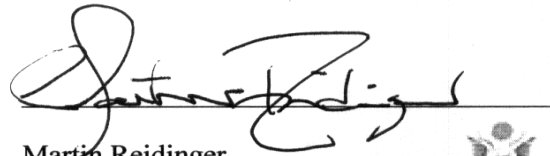
**IT IS, THEREFORE, ORDERED** that the Defendant's Assented-to Motion for Entry of Judgment under Sentence Four of 42 U.S.C. § 405(g) with Reversal and Remand of the Cause to the Defendant [Doc. 11] is **GRANTED**.

**IT IS FURTHER ORDERED** that the decision of the Commissioner of Social Security is hereby **REVERSED** and this case is hereby **REMANDED** for further administrative proceedings, consistent with this Order.

The Clerk of Court shall enter a separate Judgment of Remand simultaneously herewith. The Clerk of Court is notified that this is a final judgment closing the case.

**IT IS SO ORDERED.**

Signed: April 17, 2012

  
Martin Reidinger  
United States District Judge

